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MOTORS LIQUIDATION COMPANY, et consorts,
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Débiteurs.

Chapitre 11. Dossier no.
09-50026 (REG)
(Administré conjointement)

AVIS DE (I) L'INSCRIPTION DE L'ORDONNANCE CONFIRMANT LE SECOND AMENDEMENT DU DÉBITEUR POUR LE PLAN COMMUN DE LIQUIDATION DU CHAPITRE 11 ET (II) DATE D'ENTRÉE EN VIGUEUR

À TOUTS LES CRÉDITEURS, DÉTENTEURS DE TITRES PARTICIPATIFS ET AUTRES PARTIES CONCERNÉES :

VEUILLEZ PRENDRE NOTE qu'une ordonnance de la Cour (l'« **Ordonnance de confirmation** ») (ECF N°. 9941) confirme le deuxième amendement du débiteur pour le plan de liquidation commun du chapitre 11, entrée en vigueur le 18 mars 2011 (ECF N°. 9836) (le « **Plan** »), de Motors Liquidation Company et ses débiteurs affiliés (collectivement, les « **Débiteurs** »), a été signée par l'Honorable Robert E. Gerber, juge de la Cour supérieure des États-Unis, division des faillites, et a été enregistrée par le greffier de la Cour suprême des États-Unis, division des faillites, pour le district Sud de New York (la « **Division des faillites** ») le 29 mars 2011. Les termes commençant par une majuscule, n'étant pas définis et étant utilisés dans le présent document, se sont vus attribuer la définition appropriée au sein du présent Plan.

VEUILLEZ ÉGALEMENT PRENDRE NOTE que l'Ordonnance de confirmation peut être consultée durant les heures normales de bureau, et ce, au bureau du greffier de la Division des faillites, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004. L'Ordonnance de confirmation est également accessible aux utilisateurs inscrits au système d'archives de la Division des faillites, sur le site Web de la Division des faillites (**www.nysb.uscourts.gov**), ainsi qu'à toutes les parties au **www.motorsliquidationdocknet.com**.

VEUILLEZ ÉGALEMENT PRENDRE NOTE que le Plan et ses clauses lient les Débiteurs, les Débiteurs subséquents à la date d'entrée en vigueur, le gestionnaire fiduciaire du trust des créanciers chirographaires généraux, le gestionnaire fiduciaire de l'amiante (Asbestos Trust Administrator), (l'**Environmental Response Trust Administrative Trustee**), le gestionnaire fiduciaire (Avoidance Action), toute entité acquérant ou recevant la propriété ou la répartition sous le Plan, et tout détenteur d'une réclamation contre ou détenant des titres participatifs du Débiteur, incluant toutes les entités gouvernementales, que cette réclamation ou détention ait été précisée ou pas sous ce Plan et que ce détenteur ou entité ait accepté ou pas le Plan.

VEUILLEZ ÉGALEMENT PRENDRE NOTE que la date d'entrée en vigueur du Plan (telle que définie dans le Plan) est le 31 mars 2011, ce qui signifie que le Plan a substantiellement été entrepris.

VEUILLEZ ÉGALEMENT PRENDRE NOTE que toutes les preuves de réclamation découlant du rejet de contrats à exécuter ou de baux arrivés à échéance, conformément au Plan, doivent être déposées au bureau la Division des faillites et exécutées devant les Débiteurs, le gestionnaire fiduciaire du trust des créanciers chirographaires généraux, le gestionnaire fiduciaire de l'amiante (Asbestos Trust Administrator), (l'**Environmental Response Trust Administrative Trustee**) et le gestionnaire fiduciaire (Avoidance Action), aux adresses mentionnées dans l'Ordonnance de confirmation, le ou avant le 30 mai 2011. Toute réclamation découlant du rejet de contrats à exécuter ou de baux arrivés à échéance pour laquelle une preuve de réclamation n'a pas été déposée avant la date d'échéance sera exclue à jamais et ne pourra pas être opposable aux Débiteurs, gestionnaire fiduciaire du trust des créanciers chirographaires généraux, gestionnaire fiduciaire de l'amiante (Asbestos Trust Administrator), (l'**Environmental Response Trust Administrative Trustee**), le gestionnaire fiduciaire (Avoidance Action), ou toute autre propriété à être répartie sous le Plan, le fiduciaire du trust des créanciers chirographaires généraux, le fiduciaire de l'amiante (Asbestos Trust Administrator), (l'**Environmental Response Trust**), le fiduciaire (Avoidance Action).

Date : New York, New York
18 avril 2011

WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
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WHEELS OF JUSTICE

N.D.G co-proprietors end up in court

Defendant vindicated, is awarded \$130,000

PAUL DELEAN
THE GAZETTE

Every month, Quebec judges issue dozens of judgments that, without making headlines, set the ground rules for business in Quebec. Here are a few of the offbeat and/or consequential rulings rendered this month.

A 63-year-old woman – we'll call her A.B. – who sued to have an N.D.G. property confirmed as her own got exactly the opposite result in Superior Court.

She was done in by a document she'd prepared in 1998 to make it look like she had no assets in order to collect welfare.

A.B. and a woman she met

through a newspaper ad for a roommate – let's call her C.D. – bought the house together in 1988 for \$289,000, and A.B. subsequently ceded her half to C.D. in a notarized document.

She confirmed as much to social agencies while collecting welfare from 1998 to 2007, saying she was simply a tenant paying rent of \$425 to \$485 a month (although actual rent was never paid).

In 2007, C.D. was hospitalized for several months, and when she attempted to return to the house where she'd paid virtually all expenses since 1993, she was intercepted and turned away by police.

A.B., then living alone in the home, had reported receiving death threats from her, a frivolous claim intended only to force C.D. to live elsewhere for several months, Judge Jean-Pierre Chrétien said in his judgment.

(Charges were dismissed when A.B. didn't show up to testify when

the matter came to court later that year).

In her suit for the property, A.B. produced a document showing C.D. had in fact ceded her 100 per cent of the house in 1990, but the judge said it was overridden by the private agreement they concluded in 1998 (when A.B. started receiving welfare) which said C.D. was the sole proprietor.

Chrétien acknowledged A.B. paid half of the house initially, but her failure to pay anything (including rent) since 1993 effectively cancelled out her entitlement to reimbursement.

He awarded C.D. a further \$30,000 for lost property and \$100,000 in damages for the trouble and inconvenience caused her by A.B. over the years.

Selling your house doesn't necessarily terminate your responsibility for it, as a couple from St. Sauveur discovered.

Four years after the \$265,000 sale in 2004, the new buyers got significant water infiltration in the basement. An inspection showed the French drain was not only blocked, but badly installed.

They sued for \$35,277 in repair and renovation costs, arguing it had been a vice not visible when they first had the home inspected.

Quebec Court Judge André Renaud this month awarded them \$18,427, with interest, for drain repairs and professional fees, but rejected the \$13,432 sought for basement renovations.

The defendants had argued that, because the home was 30 years old, the French drain simply reached the end of its working life, but an engineer who testified for the plaintiffs said the key was the faulty installation, not its age.

Judge Renaud nonetheless reduced the amount sought for drain repairs by 25 per cent as a concession to age depreciation.

A woman who sued an off-island daycare centre for \$7,000 after it fired her got a rude awakening in small-claims court.

Not only did Quebec Judge Alain Breault accord her just \$25, he ordered her to pay \$550 to the daycare centre for group health-plan coverage maintained when she stopped showing up for work.

The woman, hired in 2003, began to miss work repeatedly after a car accident in 2005.

At one point, the woman spent two months in Peru without even advising the daycare centre, court was told.

After getting fired in 2008, she sued on the grounds it was abusive and in bad faith and that she was not given due notice.

After weighing the evidence, Breault ruled the employee was terminated in all legality, and with cause.

pdelean@montrealgazette.com

Canam sees recovery accelerating

ROBERT GIBBENS
SPECIAL TO THE GAZETTE

Quebec's biggest steel fabricator, **Canam Group Inc.**, said Wednesday its order backlog at March 31 was \$519 million, up seven per cent from Dec. 31, as its U.S. business recovers slowly from the 2008-2009 slump in commercial and industrial construction.

But chief operating officer Marc Dutil cautioned it will be a volumeled recovery at first with price improvements coming some time later, with most of Canam's business in the U.S. It has been giving up margins to preserve its job count over the past year.

Marc will step up from president and COO to CEO on Jan. 1, taking over from his father, Marcel Dutil, the company's founder and chief architect, who will remain chairman of the board.

"You can be sure business will be a lot better when he moves into the top spot next year," Marcel Dutil told analysts.

Canam posted a first-quarter loss of \$39.7 million, or 88 cents a share, after making a special \$25-million after-tax provision to cover cost overruns for the steel cables it is installing for the new BC Place retractable roof in Vancouver.

Another factor was settlement of a five-year-old U.S. lawsuit – the terms of which were not disclosed.

Sales in the latest quarter were \$150.6 million, up 48 per cent from a year earlier. In the first quarter of 2010, Canam posted a \$600,000 loss, or one cent a share.

Canam won the \$100-million contract for the steelwork for BC Place's cable-supported retractable roof in 2009. It replaces a trouble-plagued air-supported dome roof.

Marc Dutil said the expected impact of the BC Place project as a whole will be limited to the special charge. Canam lacked experience in cable erection technology, he said, and relied on outside cost estimates, leading to delays. "We hope to recover part of the \$25 million later," he added.

The FabSouth unit in Florida was a solid revenue generator in the March quarter, international business improved and Canadian operations were on the uptrack despite the surging loonie. Capital spending was \$6.5 million, down from \$7.5 million.

Canam, best known for its steelwork for sports stadiums, office towers and bridges, has 3,000 employees and 25 plants and engineering offices in North America, Romania, India and China and has partnerships in the Mid-East.



JOHN MAHONEY GAZETTE FILE PHOTO

Marc Gingras, CEO of Tungle, says the acquisition of his company by Research in Motion will help it achieve its goal of becoming integrated in daily corporate activities when it comes to scheduling.

TUNGLE Company says being acquired should help it improve product and service

CONTINUED FROM B1

Gingras said it takes a lot of work to grow naturally, and the process involved user surveys, research and interface redesigns.

"What we've seen is that 40 per cent of the people who get exposed to it become Tungle users," he said.

In November, the company launched its first premium feature, which for a monthly fee of \$4.99 (or \$49.99 annually) allows users to personalize their Tungle sites with their corporate logos or other designs.

Last May, Gingras was named entrepreneur of the year by a jury of members of Montreal's tech community, responsible for organizing the annual Startup Camp.

As a prize, he was flown to San Francisco, and then joined the Geeks on a Plane program – a trip with other startup founders to East Asia, with stops in Shanghai, Beijing, Seoul and Singapore to meet other entrepreneurs and potential investors.

On Tungle's website Wednesday morning, Gingras said the company was excited about being acquired.

"We expect the Tungle service to only get better," he wrote.

"Our plan today is what it has always been – for Tungle to become integrated with your daily activities and be ubiquitous within the applications you're already using.

"When you think scheduling, Tungle should be at your fingertips."

RIM has been on a buying spree

lastly.

Last month, the company announced a deal to purchase Ontario-based startup **tinyHippos Inc.**, creator of Ripple, a cross-platform mobile application development and testing tool.

In February, RIM revealed it had struck a deal to acquire Seattle-based contact management software firm **Gist Inc.**

That move came just three months after RIM acquired **The Astonishing Tribe (TAT)**, a Swedish user interface design firm.

MATT HARTLEY OF FINANCIAL POST
CONTRIBUTED TO THIS REPORT

jmagder@montrealgazette.com

Twitter.com/jasonmagder

EXPRESS Jazz tuned out after a decade

CONTINUED FROM B1

The rebranding will effectively put an end to the Jazz brand after a decade at Air Canada.

Jazz itself was created in a similar manner in 2001 as an umbrella brand for Air Canada's various regional subsidiaries, including Air BC, Air Nova, Air Ontario and Canadian Regional Airlines.

But the regional division was eventually spun off as a separate company, **Jazz Air Income Fund**, in 2004 as part of Air Canada's restructuring under bankruptcy protection.

Jazz Air Income Fund then converted to a corporation at the end of 2010, creating a holding company, Chorus Aviation Inc., and a subsidiary airline, Jazz Aviation LP.

While Jazz Aviation still provides the bulk of Air Canada's regional flying, both Chorus and Air Canada have increasingly been looking to diversify their business.

Chorus announced last year it would begin operating a fleet of 757s on behalf of **Thomas Cook Canada Inc.** this past winter, in direct competition with Air Canada Vacations.

Air Canada, in turn, chose to award its contract from Toronto Island to Sky Regional, which could operate at a lower cost than Jazz.

Air Canada intends to put additional regional service above the threshold guaranteed to Chorus to competitive bidding, the source said.

Air Canada does, however, still have a commercial agreement in place with Chorus extending to 2020.

The so-called capacity purchase agreement sees Air Canada purchase effectively all of Chorus's regional capacity at a fixed rate before selling it back into the market, determining where the planes fly as well.

POSTMEDIA NEWS

Tell us your story

Applications are now available for the 2012 *Montreal's Top Employers* competition. This year's winning employers will be announced in a special newspaper supplement to be published in The Gazette in January 2012.

Employers complete a single application to be considered for the Montreal competition, the *Défi Meilleurs Employeurs* and our *Canada's Top 100 Employers* project, which includes eight special-interest competitions that we manage with a variety of partners across Canada.

Now in its 7th year, the *Montreal's Top Employers* competition is a unique editorial project that recognizes the employers that lead their industries in creating progressive workplaces and forward-thinking human resource policies. Our editors release detailed "Reasons for Selection" explaining why the winning employers are selected.

This year's application deadline is May 17, 2011. To obtain an application for your organization or learn more about this year's competition, please visit us online at:

CanadasTop100.com/montreal

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re
MOTORS LIQUIDATION COMPANY, et al.,
f/k/a General Motors Corp., et al.
Debtors.

Chapter 11 Case No.
09-50026 (REG)
(Jointly Administered)

NOTICE OF (i) ENTRY OF ORDER CONFIRMING DEBTORS' SECOND AMENDED JOINT CHAPTER 11 PLAN AND (ii) OCCURRENCE OF EFFECTIVE DATE

TO ALL CREDITORS, EQUITY INTEREST HOLDERS, AND OTHER PARTIES IN INTEREST:

PLEASE TAKE NOTICE that an order (the "Confirmation Order") (ECF No. 9941) confirming the Debtors' Second Amended Joint Chapter 11 Plan, dated March 18, 2011 (ECF No. 9836) (the "**Plan**"), of Motors Liquidation Company and its affiliated debtors (collectively, the "**Debtors**"), was signed by the Honorable Robert E. Gerber, United States Bankruptcy Judge, and entered by the Clerk of the United States Bankruptcy Court for the Southern District of New York (the "**Bankruptcy Court**") on March 29, 2011. Capitalized terms used herein but not otherwise defined have the meanings ascribed to such terms in the Plan.

PLEASE TAKE FURTHER NOTICE that the Confirmation Order is available for inspection during regular business hours in the office of the Clerk of the Bankruptcy Court, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004. The Confirmation Order is also available for registered users of the Bankruptcy Court's filing system by accessing the Bankruptcy Court's website (www.nysb.uscourts.gov) and for all parties at www.motorsliquidationdoctet.com.

PLEASE TAKE FURTHER NOTICE that the Plan and its provisions are binding on the Debtors, the Post-Effective Date Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the Environmental Response Trust Administrative Trustee, the Avoidance Action Trust Administrator, any entity acquiring or receiving property or a distribution under the Plan, and any holder of a claim against or equity interest in the Debtors, including all governmental entities, whether or not the claim or equity interest of such holder is impaired under the Plan and whether or not such holder or entity has accepted the Plan.

PLEASE TAKE FURTHER NOTICE that the Effective Date of the Plan (as defined in the Plan) occurred on March 31, 2011 and, as a result, the Plan has been substantially consummated.

PLEASE TAKE FURTHER NOTICE that all proofs of claim arising from the rejection of executory contracts or unexpired leases pursuant to the Plan must be filed with the Bankruptcy Court and served upon the Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the Environmental Response Trust Administrative Trustee, and the Avoidance Action Trust Administrator, at the addresses set forth in the Confirmation Order, on or before May 30, 2011. Any claims arising from the rejection of an executory contract or unexpired lease for which a proof of claim has not been filed by such date shall be forever barred and shall not be enforceable against the Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the Environmental Response Trust Administrative Trustee, and the Avoidance Action Trust Administrator, or any property to be distributed under the Plan, the GUC Trust, the Asbestos Trust, the Environmental Response Trust, and the Avoidance Action Trust.

Dated: New York, New York
April 18, 2011

WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153
Telephone: (212) 310-8000
Facsimile: (212) 310-8007

Attorneys for Debtors and
Post-Effective Date Debtors